

S-7-2008
CABCO 5600 West Subdivision
2570 South 5600 West
M Zone

BACKGROUND

Adam Maher, is requesting preliminary and final plat approval for the CABCO 5600 West Subdivision. The subject property is located immediately to the north of the Riter Canal and west of 5600 West.

The proposed subdivision is being requested in order to divide the existing property into two commercial building lots. Lot 1 consists of 4.28 acres while lot 2 will consist of 1.95 acres. As part of the subdivision application, the developer will dedicate 5600 West to its full half width of 53 feet. In addition, the developer is proposing to dedicate a 66-foot right-of-way to serve future frontage road needs for 5600 West and Mountain View Corridor.

The proposed right-of-way for this subdivision will align with the right-of-way planned for the development to the south. A future bridge will need to be installed to connect the two streets. . It is interesting to note that property upon which the bridge would be constructed is not part of this application or the Colony Partner's property to the south. Members of the planning staff will coordinate this matter with the Public Works Department and City Attorney's Office to determine the best approach to make this connection.

Due to this application being a commercial subdivision, staff and agency comments will be better addressed during the conditional use and/or permitted use processes. The subdivision plat will contain easements and other information applicable to the division of property, but does not address site design issues typically found in commercial developments. The subdivision does fall within the 5600 West Overlay Zone. As such, future commercial and/or industrial uses will be subject to increased development standards.

STAFF ALTERNATIVES:

1. Approve the CABCO 5600 West Subdivision subject to a resolution of staff and agency concerns.
2. Continue the application in order for the developer to address the Planning Commissions concerns.

Applicant:
Adam Maher
5125 W. 2100 S.

Discussion: Steve Lehman presented the application. Commissioner Matheson asked if it was the applicants intent to wait and develop the road until the west portion of the property is also developed. The applicant, Adam Maher, replied that they had intended to wait because the road doesn't go anywhere north or south. Mr. Maher was aware that a road was envisioned in this location but didn't know about the bridge, something that he finds very intimidating at the present time. However, Mr. Maher does plan to do more with the road when the land to the north develops. Commissioner Matheson asked the applicant if a delay agreement would be satisfactory? Mr. Maher agreed that it would make sense to sign a delay agreement. Commissioner Matheson believes a delay agreement is important because the resolution of the bridge is not going to be immediately decided. Commissioner Matheson believes that there is no sense in building the road until the bridge is built.

Commissioner Clayton asked how the discussion for the building of the bridge could be encouraged. Mr. Lehman responded that staff will contact the owners of the involved properties and schedule a meeting. After seeing how these meetings progress, staff can decide what the next step would be. Commissioner Conder asked what conditions the Planning Commission should consider, subject to approval, in reference to the resolution of the bridge. Mr. Lehman responded that the Planning Commission should suggest this project simply move forward. Public Works sees no current urgency to construct the bridge because the road still doesn't extend to the north and at the present time there is no road to the south.

Commissioner Mills asked what the anticipated use is for the subdivided properties? Mr. Lehman explained that the applicant has submitted a site plan which is still being evaluated. It may have retail use and some potential storage to the rear of the property.

Commissioner Mills stated that there seems to be a benefit in developing this road now for the existing townhome community. She said that it is inconvenient for residents to go out onto the very busy 5600 West and then to have to come back in. A road would demonstrate to residents that something will be happening with this area in the future as well as providing a safer pedestrian path. Commissioner Fuller disagreed with this statement and pointed out that a delay agreement would accomplish the same thing. People dislike seeing a road that leads nowhere and it would make more sense to develop the road as it is needed.

Commissioner Conder commented that the road wouldn't be used because it doesn't lead anywhere to the north. Mr. Lehman said that a traffic study will be performed on the property to the south and once it's completed there will be a clearer idea as to when the road needs to be constructed. Commissioner Mills believes the applicant should provide access to the east even if it is a pedestrian walk, so that when those roads are developed there will be access to the retail portion of the project. 5600 West is rapidly increasing in density and pedestrian and automobile traffic is not being considered quickly enough.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Matheson moved for approval subject to the resolution of staff and agency concerns and that a delay agreement be signed for future road improvements.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous– S-7-2008 – Approved